CASE

OF THE

TOWN and PORT of King's-Lynn

IN

NORFOLK,

As to their Navigation.

THE ſaid Port is an Ancient Port, ſcituate on the River of *Great Owze*, furniſhed with great numbers of Ships, many Conſiderable Merchants, and able Seamen and Watermen, employed as well in all Foreign as Inland-Trade and Commerce, having at this time near 400 Seamen in His Majeſty's Service.

By means of which River, and of many Navigable Rivers falling into the Same, ten Counties of this Kingdom, have in a great Meaſure been Supplyed with Coals, Fiſh, Salt, Wine, and all ſorts of *Sweediſh* and *Daniſh* Goods, and other Commodities, and made Returns of Corn, and other Products, Whereby;

I. Great and mutual Advantages have accrewed to that Port, and the ſaid Counties.
II. Great Revenues have been raiſed to the Crown.
III. The Poor have been well employed.
IV. Navigation, building of Ships, and increaſe of Seamen, have been incouraged.
V. And the Kingdom in general, much Strengthened and Enriched.

But, by a *Dam* and *Sluice*, croſs the ſaid great River *Owze*, at a place called *Denver Dam*, ſet by the Undertakers for Draining the Fenns of *Bedford* Level, and other Works by them made under colour of a pretended Act, in the year 1649; And by them alledged to be Confirmed, by an Act made in the 15*th* year of King *Charles* the II. The flow and reflow of the Sea, for more than 24 Miles, beyond the ſaid *Dam* and *Sluice*, up the ſaid great River *Owze* into the River *Grant* towards *Cambridge*, and not much leſs in the Rivers of *Mildenhall*, *Brandon* and *Stoake*, are wholy obſtructed and cut off, and the great Streams in the ſaid River *Owze* are ſtopped, divided and much weakened, that the Paſſage of Ships, Boats and Veſſels, in all thoſe Rivers is very much hindred, and become tedious, difficult and chargeable, and the Channel from the ſaid *Dam*, to *Lynn-Haven*, and from thence to Sea, for want of a ſufficient Indraught, and the ancient Receptacles of Water, to keep the ſame open, is become ſo ſilted up, unſafe and dangerous, that the Navigation in the ſaid Port and Rivers, and the Communication with thoſe Counties muſt inevitably and intirely be loſt, unleſs ſuddenly prevented; And it is Humbly ſhewn;

I. That the erecting that *Dam* and *Sluice* is Contrary to *Magna Charta*, and 10 or more Statutes of this Realm, made for avoiding all Obſtructions on Navigable Streams, and Advancement of Trade and Navigation, and ſtill in force; none of which are in any wiſe repealed or diſpenſed with, by the ſaid Act for Draining, or otherwiſe.

II. That it is alſo Contrary to the Propoſals, Cautions, Pretences, and Conditions, upon which the ſaid Adverturers firſt began, and afterwards continued their Works of Draining, expreſſed in the Journals of their own Proceedings, and their Laws and Ordinances of Sewers, by which they were to imbank the Rivers falling into the *Owze*, and this was ſet to keep out the Tydes, and ſave that Charge; and are beſides expreſly contrary to the very Letter and Intention of the ſaid Act of the 15*th Car.* II.

III. That whereas the Adventurers pretend they have cut a River, call'd, *New Bedford River*, in a ſtrait Line, as an equivalent for what they have ſtopped, it will by the plaineſt Demonſtration appear, that it is of little Advantage to ſcouring the Outfall.

IV. That before the firſt Setting down the ſaid *Dam* and *Sluice*, and at the time of Erecting it, and ſince it was Finiſhed (upon apprehenſion and proſpect of the now viſible Effects thereof,) repeated Complaints and Applications have been made, for preventing and removing the ſame, but by great Charges in proſecuting, and by fair Promiſes and Pretences of the ſaid Adventurers; and the ill Conſequences not being then ſo apparent, the ſame have been evaded and come to no Effect.

V. That the ſaid *Dam* and *Sluice* were ſet, and are now continued for the only and particular benefit of the South part of the ſaid Level, being in general the worſt Lands, and of the leaſt Value in thoſe Fenns. The Inheritance of ſeveral thouſands of Acres thereof being yearly ſold for 4 *d. per* Acre, and ſuch inconſiderable Rates; And this part is ſeperated and divided from the reſt of the Level, by great Banks and Defences, ſo as the removing the ſaid *Dam* and *Sluice*, as it can be no damage to the reſt of the Level, will be inconſiderable to this part, if compared to the loſs of ſo great and valuable a Port and Navigation.

VI. That theſe Obſtructions tend not only to the apparent prejudice of Navigation, but alſo by Silting up the ſaid River, have already wholly ſtopped up and diſannulled, all the Drains and Outfalls of more than 50000 Acres of profitable Lands, antient Meadows and Paſtures, in the Hundreds of *Marſhland*, *Freebridge* and *Clackcloſe* in the ſaid County of *Norff*, and parts adjacent, far more valuable than the ſaid South Level in all reſpects: Which Lands, Meadows and Paſtures, for divers years paſt, have been and now are (on that occaſion) in a miſerable Condition, much annoyed with Waters, and likely to become of little or no Value, if the Cauſes be not timely removed.

VII. That beſides the ſaid Prejudices to Navigation, and the ineſtimable Damages to the ſaid Lands in thoſe Hundreds and Parts adjacent, the Drains and Outfalls of the South, and Middle Level, of the ſaid Fenns, are in like apparent Danger of being wholly loſt, there being no other paſſage for their waters to Sea, but by the ſaid River *Owze*, which daily grows worſe, and leſs capable of Draining them.

VIII. That theſe Complaints proceed not from any miſtaken Notions, as the Adventurers have been pleaſed to inſinuate, but from ſad Apprehenſions of thoſe approaching Calamities, which being matters of the greateſt Weight and Importance to the Publick, and ready to be made appear by Proofs, and Demonſtrations, and for that the Proviſions intended by the Statute of the 15*th. Car.* II. for Redreſs of ſuch Miſchiefs are ineffectual and impracticable, It is Humbly Prayed;

That by an Act for removing Obſtructions in the ſaid River, and preſerving the ſaid Port and Navigation ſuch proper Remedies in this behalf, may be provided, as the Nature of the Caſe, upon due Examination ſhall appear to Deſerve and Require.